

DECLASSIFIED BY 0812/11/91


UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

 Address : COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
07/421,633	10/12/89	CHEVALIER	A 65927786X00

EXAMINER
JOHNSON, S

 ANTONELLI, TERRY & WANDS
 SUITE 600
 1919 PENNSYLVANIA AVENUE, N.W.
 WASHINGTON, DC 20006

ART UNIT	PAPER NUMBER
221	6

DATE MAILED: 08/14/91

 This is a communication from the examiner in charge of your application.
 COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 4/24/91 ☒ This action is made final.

 A shortened statutory period for response to this action is set to expire 6 month(s), 0 days from the date of this letter.
 Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133
Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION
 1. ☒ Claims 1, 3-9, 11-12, and 14 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

 2. ☐ Claims _____ have been cancelled.

 3. ☐ Claims _____ are allowed.

 4. ☒ Claims 1, 3-9, 11-12, and 14 are rejected.

 5. ☐ Claims _____ are objected to.

 6. ☐ Claims _____ are subject to restriction or election requirement.

 7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

 8. ☐ Formal drawings are required in response to this Office action.

 9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

 10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

 11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).

 12. ☐ Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.

 13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

 14. ☐ Other

DECLASSIFIED BY 0812/11/91

 FOREIGN GOVERNMENT
 INFORMATION
 DECLASSIFIED BY ORIGINATING AGENCY

EXAMINER'S ACTION

DECLASSIFIED BY ORIGINATING AGENCY
CONFIDENTIAL

- (c) 1. The drawings are objected to because central channel 26 and tube 26 (recited on page 14, line 14) are not illustrated. Correction is required.
- (u) 2. Applicant is required to submit a proposed drawing correction in response to this Office action. However, correction of the noted defect can be deferred until the application is allowed by the examiner.
- (u) 3. In applicant's most recent amendment (filed 4/24/91), applicant instructed that lines 9-20 of page 11 be deleted. It is likely that applicant intended for lines 13-20 of page 11 to be deleted and should therefore amend his instructions.
- (u) 4. The disclosure is objected to because of the following informalities:

The U.S. application no. listed on page 3, last two lines, does not contain 6 digits as in appropriate for U.S. filed applications. Appropriate correction is required.

- (u) 5. The amendment filed 4/24/91 is objected to under 35 U.S.C. 132 because it introduces new matter into the specification. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: on page 3, second to last line, reference to the phrase "United States application"..

Applicant is required to cancel the new matter in the response to this Office action.

- (c) 6. Claim 14 is rejected under 35 U.S.C. 112, fourth paragraph, as being of improper dependent form for failing to further limit the subject matter of a previous claim.

DECLASSIFIED BY ORIGINATING AGENCY
CONFIDENTIAL

CONFIDENTIAL
DECLASSIFIED BY ORIGINAL AGENCY

Claim language directed to the combination of a missile and a ramjet engine fails to further limit a claim directed to the subcombination of a ramjet engine.

- (c) 7. Claims 1, 3-9, 11-12, and 14 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 17, the phrase "gaseous fuel" should read as "said gaseous fuel" if the previously claimed gaseous fuel is intended. In claim 1, lines 18, 24 and 28, the phrases "said airduct" and "said at least air duct" should be claimed as "said at least one airduct means" for complete agreement with their antecedents.

- (u) 8. Claims 1, 3-9, and 11-12 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. 112.

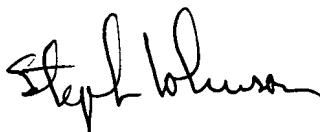
- (u) 9. Applicant's arguments with respect to claims 1, 3-9, 11-12 and 14 have been considered but are deemed to be moot in view of the new grounds of rejection.

- (u) 10. Applicant's amendment necessitated the new grounds of rejection. Accordingly, THIS ACTION IS MADE FINAL.

A STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE SIX MONTHS FROM THE DATE OF THIS ACTION.

- (u) 11. An inquiry concerning this communication should be directed to Stephen Johnson at telephone number 703-308-0513.

Johnson/07-25-91



STEPHEN JOHNSON

CONFIDENTIAL
DECLASSIFIED BY ORIGINAL AGENCY